

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Martin T. Gerber, et al.

Application No.: 10/698,131

Filed: November 1, 2003

Docket No.: BUG8-44251

DEFICIENCY PAYMENT TO CORRECT ERROR IN SMALL ENTITY PAYMENTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In this application status as a small entity was established in good faith, and fees as a small entity were paid in good faith. It was later discovered that such status as a small entity was established in error. Pursuant to 37 CFR 1.28(c), it is requested that the error be excused. Applicant hereby gives notice that small entity status is no longer appropriate in this application.

Itemization of the deficiency payment

Type of fee erroneously paid as a small entity	Current fee for non-small entity	Small entity fee actually paid	Date small entity fee actually paid	Deficiency owed
RCE fee	\$810	\$405	12/1/08	\$405
2 month extension of time	\$490	\$245	12/1/08	\$245

Total deficiency payment owed: \$650

Please charge the \$650.00 total deficiency payment owed to our Deposit Account No. 16-0820, Order No. BUG8-44251. If any further fees are required by this communication, please charge such fees to our Deposit Account No. 16-0820, Order No. BUG8-44251.

Respectfully submitted,  
PEARNE & GORDON LLP

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Date: 5-28-09